

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**


Applicant(s) : Ogg et al.  
Serial No. : 10/598,078  
Filed : August 17, 2006  
For : Audio Pacing Device  
Group Art Unit : 3764  
Confirmation No. : 9850  
Examiner : Andrew M. Tecco

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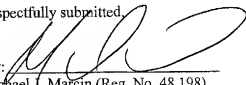
By:  Date: 6/16, 2010  
Michael J. Marcini, (Reg. No. 48,198)

**TRANSMITTAL**

In response to the Notification of Non-Compliant Appeal Brief mailed on June 3, 2010 and in support of the Notice of Appeal filed on March 4, 2010 transmitted herewith please find a revised Appeal Brief for filing in the above-identified application. No fees are believed to be required. However, the Commissioner is hereby authorized to charge the **Deposit Account of Fay Kaplun & Marcini, LLP NO. 50-1492** for any additional required fees.

Respectfully submitted,

Dated: 6/16, 2010

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